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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/190,781 11/12/98 NGUYEN

AM-SSS/T-020
EXAMINER

IM6170329

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ART UNIT PAPER NUMBER
BUEKER, R 4

1763
DATE MAILED:

03/29/99

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final

A shortened statutory period for response to this action is set to expire three month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3 <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449 | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5 <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-30 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-30 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable, ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved, ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received, ☐ not been received. ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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The office action mailed March 29, 1999 inadvertently failed to address claim 46. The time period for response set therein has been removed and the time period for response restarted as of the date of this new office action.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 15-30 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima (EP 045088) ,Sivaramakrishnan (EP 0602595) and Siegle (US 5,607,002) in view of Lankford (The Making Shaping and Treating of Steel) or Maruhashi (4,594,114). Nagashima (col. 4, line 36) Sivaramakrishnan (col. 3, lines 50-52 and col. 5, lines 53-54) and Siegle (col. 2, line 11 and col. 23, lines 40-60) all teach the use of stainless steel as a material of construction of semiconductor processing apparatus of the type contemplated by applicants. They do not discuss the amount of nickel in their stainless steel. Lankford and Maruhashi make clear that stainless steel having little or no nickel is common and well known as corrosion resistant material. It would have been prima facie obvious to one skilled in the art to use a low nickel stainless steel in the apparatus of Nagashima, Sivaramakrishnan or Siegle, in the absence of a showing of unexpected results commensurate in scope with the claims.

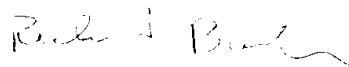
Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references cited above, taken in further view of Yamaguchi US 5,520,858) and Stauffer (US

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5,252,134). Yamaguchi (Fig.1 and col. 2, line 10) and Stauffer (Figs. 2A and 2B and col. 7, lines 18-45) disclose gas bubblers and boilers for delivering reaction gases to semiconductor processing apparatus. It would have been prima facie obvious to use low nickel stainless steel as a material of construction for these apparatus also.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Bueker whose telephone number is (703) 308-1895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


RICHARD BUEKER
PRIMARY EXAMINER
ART UNIT 1763